

REMARKS

Status of the Claims

After entry of this amendment, claim 6 is pending. Claims 1-5 and 7-26 have been withdrawn. Claim 6 has been amended to ensure correct antecedent basis. Support for this amendment is found in claims 1 and 6 as originally filed. Thus, no new matter is added by this amendment.

Restriction of Claims

Applicants hereby elect with traverse the claims of Group IV (claim 6), drawn to a method of detecting cancer.

Restriction of an application is discretionary, and a restriction requirement is made only to avoid placing an undue examination burden on the Examiner and the Office. Where claims can be examined together without undue burden, the Examiner must examine the claims on the merits, even though they are directed to independent and distinct inventions.

MPEP §803.01.

Since Groups I-XVIII are closely related inventions based on the same inventive concept of nucleotide and amino acid sequences highly expressed in hematological malignancies, Applicants respectfully submit that examining the claims of Groups I-XVIII together would not place an undue burden on the Examiner. As such, Applicants make the election with traverse and request that the restriction requirement be withdrawn.

Election of Sequence

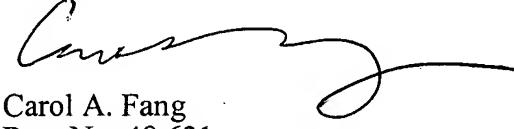
Applicants elect SEQ ID NO:10,582. Claim 6 reads on the elected sequence. Applicants request that upon allowance of the claims, the Examiner consider rejoinder of withdrawn species if they are embraced by the allowed generic claims pursuant to MPEP § 809.03(c)(B).

Appl. No. 10/057,475
Amdt. dated August 17, 2005
Reply to Office Action of March 8, 2005

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at 415-576-0200.

Respectfully submitted,



Carol A. Fang
Reg. No. 48,631

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
CAF:caf
60565882 v1